IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 26TH NOVEMBER 2007 / 5TH AGRAHAYANA 1929

WP(C).No. 22987 of 2004(J)

PETITIONER:

P.T.VIJAYAMMA, HEAD MISTRESS,
S.K.V.U.P.SCHOOL, MAYNAGAPPALLY NORTH,
KOLLAM DISTRICT.

BY ADV. SRI.M.V.THAMBAN
SRI.K.V.ANIL KUMAR
SMT.THARA THAMBAN

RESPONDENTS:

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1. STATE OF KERALA, REP. BY THE SECRETARY
TO THE GOVERNMENT, DEPARTMENT OF GENERAL
EDUCATION, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE ASSISTANT EDUCATIONAL OFFICER,
CHAVARA, KOLLAM DISTRICT.

3. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT. K.R. DEEPA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P(C) 22987/04

PETITIONER'S EXTS:

EXT.P1: TRUE COPY OF LETTER NO: C.6166/96/K.DIS DT. 12.11.1996 ISSUED BY THE 2ND RESPONDENT

EXT.P2: -DO- OF G.O(P) NO: 127/99/G.EDN. DT. 4.6.1999

EXT.P3: -DO- OF REVISION PETITION DT. 22.4.2003 SUBMITTED BY THE PETITIONER TO THE 3RD RESPONDENT

EXT.P4: -DO- OF ORDER NO: F4/33919/03/DPI/K.DIS DT. 6.8.2003 ISSUED BY 3RD RESPONDENT

EXT.P5: -DO- OF REVISION PETITION DT.22.11.2003 SUBMITTED BY PETITIONER BEFORE THE GOVERNMENT

EXT.P6: -DO- OF LETTER NO: 641/A1/02/G.EDN. DT. 2.4.2004 ISSUED BY THE GOVERNMENT

EXT.P7: -DO- OF G.O(MS) NO: 250/99/G.EDN. DT. 6.10.1999

jj /TRUE COPY/

P.A. TO JUDGE

KURIAN JOSEPH J.

Writ Petition (Civil) No.22987 of 2004

Dated 26th November, 2007.

J U D G M E N T

The prayer in the writ petition is for a direction to approve the appointment of the petitioner as Headmistress with effect from 10.6.1988. Learned Government Pleader submits that the petitioner is not entitled to have the appointment approved since she did not have 15 years of service as on 10.6.1988 and since the petitioner passed the test qualification only in 1991. It is submitted that the petitioner, in any case is entitled to the scale of H.S.A. as on that date. The petitioner may file an appropriate representation before the Government within two months from today, in which case, untrammelled by the stand taken in Ext.P6 regarding grant of the scale H.S.A., the matter will be duly considered with notice to the petitioner and appropriate action in accordance with law will be taken within another four months.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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